

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

24-CR-131-LJV-JJM
DECISION & ORDER

GERARD DZIERZANOWSKI,

Defendant.

1. On November 14, 2024, the defendant, Gerard Dzierzanowski, pleaded guilty to a one count information charging a violation of Title 18, United States Code, Section 2252A(a)(2)(A) and 2252A(b)(1) (distribution of child pornography). Docket Item 22.

2. On November 14, 2024, the Honorable Jeremiah J. McCarthy, United States Magistrate Judge, filed a Report & Recommendation recommending that the defendant's plea of guilty be accepted and that the defendant be adjudged guilty. Docket Item 17.

3. This Court has not received objections to the Report & Recommendation in accordance with Title 28, United States Code, Section 636(b)(1), and Rule 59(b) of the Federal Rules of Criminal Procedure, and the time to object now has expired.

4. This Court has carefully reviewed de novo Judge McCarthy's Report & Recommendation (Docket Item 17), the information (Docket Item 21), a transcript of the plea proceeding (Docket Item 23), and the applicable law. This Court finds no legal or factual error in Judge McCarthy's Report & Recommendation and

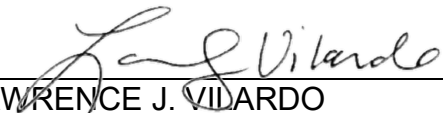
therefore adopts Judge McCarthy's recommendation that the defendant's plea of guilty be accepted and that the defendant be adjudged guilty of count 1 of the information.

IT IS HEREBY ORDERED that this Court adopts Judge McCarthy's November 14, 2024 Report & Recommendation, Docket Item 17, in its entirety, including the authorities cited and the reasons given therein, and it is further

ORDERED that the Court accepts the defendant's plea of guilty and defers acceptance of the plea agreement pursuant to Sentencing Guidelines Section 6B1.1(c), and the defendant, Gerard Dzierzanowski is now adjudged guilty under Title 18, United States Code, Section 2252A(a)(2)(A) and 2252A(b)(1).

SO ORDERED.

Dated: February 13, 2025
Buffalo, New York



LAWRENCE J. VILARDO
UNITED STATES DISTRICT JUDGE